

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WAYMO LLC,

Plaintiff,

v.

UBER TECHNOLOGIES, INC.,
OTTOMOTTO LLC; OTTO TRUCKING LLC,

Defendants.

Case No. 3:17-cv-00939-WHA

~~[PROPOSED]~~ ORDER ON
ATTORNEY-CLIENT
COMMUNICATION PURSUANT TO
RULE 502

Trial Date: February 5, ²⁰¹⁸~~2017~~

1 WHEREAS, Waymo has sought from Uber unredacted copies of two demand letters sent
2 by the counsel of two former employees, bearing production numbers UBER00340637-48 and
3 UBER00340616-24;

4 WHEREAS, Uber objects to producing unredacted copies of the requested documents on
5 the ground that the redacted text is protected by the attorney-client privilege;

6 WHEREAS, the Special Master recommended and Uber has agreed to produce unredacted
7 copies of the requested documents subject to the parties' agreement that producing the unredacted
8 versions of the two documents will not constitute a waiver of the attorney-client privilege, work
9 product or any other applicable privilege or protection in any way for this or any other litigation,
10 arbitration, investigation, or other proceeding;

11 WHEREAS, the parties have also agreed that they will not argue that the "sword/shield"
12 doctrine requires further disclosure of privileged information due to the limited disclosure agreed-
13 upon herein;

14 IT IS HEREBY ORDERED, pursuant to Rule 502 of the Federal Rules of Evidence, that
15 the disclosure described herein will not operate as a waiver of any applicable privileges or
16 protections in this litigation or any other federal, state, or other proceeding.

17 IT IS SO ORDERED.

18 Dated: December 21, 2017

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20 HONORABLE JACQUELINE SCOTT CORLEY
21 United States Magistrate Judge
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